



**MEMO ENDORSED**

July 15, 2022

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**VIA ECF**

Honorable Valerie E. Caproni  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: *Eric Puello v. Weber Farhat O'Connor Realty Management Inc., et al.*  
Docket No.: 22-cv-00816 (VEC)

Dear Judge Caproni:

This firm represents the Plaintiff, Eric Puello, in this lawsuit against Defendants Weber Farhat O'Connor Realty Management Inc. d/b/a Weber Farhat Realty Management Inc., Weber Farhat Realty Management Inc., Jeffrey Weber, Mark Weber, 170-176 West 89th Street Apartment Corp., and William Randolph a/k/a Bill Randolph ("Defendants"), for alleged violations of the Fair Labor Standards Act ("FLSA") and New York Labor Law.

Having reached a settlement in principle at SDNY mediation, the Court set a deadline for Plaintiff to submit his motion for approval, pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), with respect to Plaintiff's FLSA claims, by July 18, 2022 and scheduled a Court conference for July 22, 2022 at 10:00 a.m. in the event that settlement is not consummated. While substantial progress has been made, as of this filing, counsel are continuing to negotiate certain terms of their FLSA settlement agreement, which they expect to complete soon. Once completed, the parties will require additional time to obtain the necessary signatures for their FLSA agreement and submit their motion for approval. Accordingly, Plaintiff requests, jointly with and with the consent of Defendants, an extension of time to submit the parties' motion for approval from July 18, 2022 until July 25, 2022.

Additionally, Plaintiff has a scheduling conflict on July 22, 2022 as counsel is scheduled to conduct a deposition on that date at the same time in another matter. As a result, Plaintiff also requests, jointly with and with the consent of Defendants, an adjournment of the July 22, 2022 conference to a date convenient to the Court after July 25, 2022. Having conferred, counsel is available to appear for this conference, if the conference becomes necessary, on August 5 and 12, 2022. This is the parties' first request for the relief sought herein.

We thank the Court for its kind consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.  
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record *via* ECF

Application GRANTED. The deadline for the parties to submit their motion for approval is hereby ADJOURNED until **July 25, 2022**. The conference currently scheduled for July 22, 2022, at 10:00 a.m. is hereby ADJOURNED until **August 5, 2022, at 10:00 a.m.** should the parties fail to so move.

SO ORDERED.

 7/18/22

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE